

United States District Court  
Northern District of Texas  
Fort Worth Division

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS <b>FILED</b> <div style="border: 1px solid black; padding: 5px; text-align: center;">MAY 15 2014</div> CLERK, U.S. DISTRICT COURT By _____ Deputy	11:23 AM ctj (initials)
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UNITED STATES OF AMERICA

v.

Christopher Robert Weast, sui juris, National)

No 4:14-CR-00023-Y-1

Oral Hearing DEMANDED  
Motion to Dismiss "Case in error"

Mandatory Lawful Judicial Notice

This court will take Judicial Notice:

Due Process provides that the "rights of pro se litigants are to be construed liberally and held to less stringent standard [with appropriate benevolence] than formal pleadings drafted by lawyers; if court can reasonably read pleadings to state valid claim on which litigant could

2.

prevail, it should do so despite failure to cite proper legal authority, confusion of legal theories, poor syntax and sentence construction, or litigants unfamiliarity with pleading requirements. *Haines v. Kerner*, 404 U.S. 519-520 (1972); further at, *supra*, 520; allegations of pro se complaints are held to "less stringent standards than formal pleading drafted by lawyers," *reaff'd*, *Hughes v. Rowe*, 449 U.S. 5, 9-10 (1980) (Emphasis added)

Sui Juris - Possessing all the rights to which a freeman is entitled; not being under the power of another, as a slave, a minor, and the like. To make a valid contract, a person must, in general, be *sui juris*. Every one of full age is presumed sui juris. *Story, Ag 10*, *Harrison v. Laveen*, 196 P.2nd 456, 461

A man's "name" is that person's property. For a man's "name" to enjoy Sui Juris status, that "name" must be free of explicit legal disability resulting from some contract, indenture or commercial agreement, which is

"held-in-due-course" by a fellow citizen, alleged corporation or by an alleged agency of government.

Sui Juris Lat. Of his own right; possessing full social and civil rights; not under any legal disability, or the power of another, or guardianship. Having capacity to manage one's own affairs; not under legal disability to act for one's self. Black's Law Dictionary, Fifth edition, 1979, page 1286

All officers of the court are hereby placed on notice:

The private property title, "Christopher Robert Weast" is Sui Juris. The man sometimes designated with <sup>the</sup> appellation Christopher Robert Weast is Sui Juris. As authorized agent, the man sometimes designated with the appellation Christopher Robert Weast is Sui Juris.

The use of a Notary does not create any powers of attorney. Purpose of notary Public is for identification, verification and acknowledgment only. The use of a Notary does not provide for and is not for entrance or adhesion into any foreign jurisdiction nor does it alter status in any manner.

The private man, the authorized agent, so titled Christopher Robert Weast is not a corporation.

Christopher Robert Weast is not a corporation.

The private man, the authorized agent, so titled Christopher Robert Weast is not the thing so identified as, "CHRISTOPHER ROBERT WEAST" and vice versa.

Notice: Christopher Robert Weast is not CHRISTOPHER ROBERT WEAST and vice versa.

Notice: Christopher Robert Weast is not CHRISTOPHER ROBERT WEAST and vice versa.

Notice: {any other assemblage, or order, of characters} is not Christopher Robert Weast and vice versa.

Notice: {any other assemblage, or order, of characters} is not CHRISTOPHER ROBERT WEAST and vice versa.

The private man, the authorized agent, sometimes designated with the appellation Christopher Robert Weast, in good faith, responds to this instant matter, which was presented under conditions of threat and duress and coercion and which attempts to create a colorable persona, ~~SON~~ (CONVERSION) under colorable law by the use of the all-capital-letter-spelled, "CHRISTOPHER ROBERT WEAST".

Any artifice bearing "CHRISTOPHER ROBERT WEAST" is being used to deceive this court and must be abated as a public nuisance as the private human man sometimes designated with appellation Christopher Robert Weast who is not a corporation, not an artificial or juristic person, not an

entity of government and cannot be created as such by law, or by deception, as it [Conversion] could only be done without knowledge or consent - voluntary or otherwise.

"All codes, rules and regulations are applicable to the government authorities only, not human/Creators in accordance with God's law.

All codes, rules and regulations are unconstitutional and lacking in due process as applied to Sherwood T. Rodrigues." *Rodrigues vs. Ray Donovan* (US Secretary of Labor) 769 F2d 1344, 1348 (1985) (Emphasis added)

*Yick Wo v. Hopkins*, 118 US 356, 370, which states that People are "not subject to the law" which is called code. "Sovereignty itself is, of course, not subject to law" for it is the author and source of law; but, in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts." Justice Matthews in *Yick Wo v. Hopkins*, supra, at page 370 (1886)

"...The Congress cannot revoke the Sovereign power of the people to override their will as thus declared." *Perry v. United States*, 294 U.S. 330, 353 (1935)

"In the United States, Sovereignty resides in the people, who act through the organs established by the Constitution." *Chisholm v. Georgia*, 2 Dall 419, 471; *Penhallow v. Doane's Administrators*, 3 Dall 54, 93; *McCulloch v. Maryland*, 4 Wheat 316, 404, 405; *Yick Wo v. Hopkins*, 118 U.S. 356, 370.

This court should know, a STATE, or MUNICIPAL, or FEDERAL corporation cannot compel performance of any kind, over any Natural, Flesh and Blood Human Being, up/down to and including even a 'Juristic Person', unless he, or it, has entered into an unconditionally and knowingly signed contract free of fraud, voluntarily and freely entered into compelling such performance.

The evidence in this instant matter clearly goes to deny that any such adhesion or accommodation contract exists.

When the (private) Natural Person is aware of a controversy regarding agency practice, he/she may elect to protect their *in Propria Persona*, *sui juris* status as a National.

Pursuant to *Federal Crop Insurance Corporation v. Merrill*, 332 U.S. 380, 384; the United States Supreme Court stated, "Whatever the form in which government functions anyone entering into arrangement with the government takes the risk of having accurately ascertained that he who purports to act for the government stays within the bounds of his authority.... and this is so, even though, as here, the agent himself may have been unaware of the limitations upon his authority."

The private Natural Person, Flesh and Blood Being sometimes designated with the appellation Christopher Robert Weast, in *Propria Persona*



proceeding sui juris, without assistance of counsel, in want of clear title, in this lawful judicial notice, in demand well made, hereby notices this honorable court that in addition to Dismissal with Prejudice, timely restitution and expungement are Right and Proper in this instant matter.

Notice of law regarding alleged immunity of alleged governmental officials is made part of this lawful Judicial Notice.

"If a public officer authorizes the doing of an act not within the scope of his authority, he will be held liable." Bailey v. New York, 3 Hill (NY) 531, 38 Am Dec 669, affirmed in 2 Denio 433.

"The officers of the law, in the execution of process, are obliged to know the requirements of the law, and if they mistake them, whether through ignorance or design, and anyone is harmed by their error, they must respond in damages." Rogers v. Conklin 1 Wall. (U.S) 644, 17 Led 714.

"The authority of public officers to proceed in a particular way and only upon specific conditions as to such matters implies a duty not to proceed in any manner other than that which is authorized by the law." *First Nat. Bank v. Filer*, 107 Fla. 526, 145 So ~~211~~ 204, 87 ALR 267.

"A public officer is liable for the misconduct or negligence of his subordinates where he is intrusted with their selection or employment, and through carelessness or unfaithfulness appoints incompetent or untrustworthy persons." *Wile v. Harrison*, 105 Okla 280, 232 P 816, 38 ALR 1408.

"An officer who wilfully and wantonly appoints an unfit and incompetent person for public duties may be liable for damage which proximately results therefrom." *Richmond v. Long*, 17 Gratt (Va) 375, 94 Am Dec 461.

"The courts are not bound by an officers interpretation of the law under which he presumes to act." *Hofsommer v. Hayes*, 92 Okla 32, 217 P 477, citing RCL.

"Courts should not tolerate or condone disregard of law and arbitrary usurpation of power on the part of any officer. Ours is a government of law, and not of men, and before any act of any official will be sustained by the courts, such act must be authorized by law." *Ex Parte Owen*, 10 Okla Crim Rep 284, 136, P 197, Ann Cas 1916A 522.

It is a general rule that good faith and absence of malice constitute no defense in an action to hold a ministerial officer liable for damages caused by his nonfeasance or misfeasances, *Amy v. Supervisors (Amy v. Barkholder)* 11 WaII. (5) 136, 20 Led 101; for an officer is under a constant obligation to discharge the duties of his office, and it is not necessary to show that his failure to act was wilful or malicious, 95 Ant St Rep 74. And this is likewise the rule in respect of officers with discretionary powers who have exceeded their jurisdiction and have acted without authority of law. *Stiles v. Lowell (Stiles v. Morse)* 233 Mass 174, 123 NE 615, 4 ALR 1365.

It is a general rule that an officer -- executive, administrative, quasi-judicial, ministerial, or otherwise -- who acts outside the scope of his jurisdiction and without authorization of law may thereby render himself amenable to personal liability in a civil suit, *Cooper v. O'connor*, 69 App DC 100, 99 F(2d) 138, 118 ALR 1440; *Chamberlain v. Clayton*, 56 Iowa 331, 9 NW 237, 41 ANT REP 101. If he exceeds the power conferred on him by law, he cannot shelter himself by the plea that he is a public agent acting under color of his office, *Nelson v. Babcock*, 188 Minn 584, 248 NW 49, 90 ALR 1472; or that the damage was caused by an act done or omitted under color of office, and not personally, *First Nat. Bank v. Filer*, 107 Fla 526, 145 So 204, 87 ALR 267. In the eye of the law, his acts then are wholly without authority, *Kelly v. Bemis*, 4 Gray (Mass) 83, 64 Am Dec. 50.

As relating to the above said items, the court will take notice that the private, Flesh and Blood Natural Person sometimes designated

with the appellation Christopher Robert Weast, does rely on decisions of the United States Supreme Court, to wit:

While the Supreme Court should have "the prerogative of overruling its own decisions", *National Foreign Trade Council v. Nations*, 180 F.3d 38, 59 (1st Cir. 1999) (citations omitted)

"The lower courts are bound by Supreme Court precedent", *Adams v. Dept. of Juvenile Justice of New York City*, 143 F.3d 61, 65 (2nd Cir. 1998)

"The decisions of the United States Supreme Court, whether right or wrong, are supreme: they are binding on all courts of this land", *Hoover v. Holston Valley Community Hosp.*, 545 F.Supp. 8, 13 (E.D. Tenn. 1981) (quoting *Jordan v. Gilligan*, 500 F.2d 701, 707 (6th Cir. 1974))

Said lawful Notice is place in this Cause  
~~number~~ number 4:14-CR-00023-Y-1

Tendering, Filing or Notice  
neither confers jurisdiction nor does it constitute  
a plea.

Christopher Robert Weast - sui juris  
National, Flesh and Blood Natural Person, Human/Creator  
Sui Juris

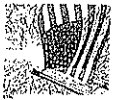
### CERTIFICATE OF SERVICE

I, Christopher Robert Weast, the Natural Flesh and Blood  
National and Natural Person, hereby certify that on  
May 13, 2014, a copy of the foregoing  
MOTION TO DISMISS was sent to Aisha Saleem  
at the United States Attorneys Office at 801  
Cherry Street, Unit 4, Fort Worth, Texas  
[76102].

U.S. DISTRICT COURT  
NORTHERN DIST. OF TX.  
FT WORTH DIVISION

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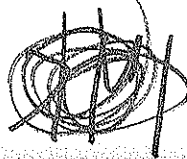
CLERK OF COURT



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